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Report of the Secretary-General on the Sudan

I. Introduction

1. The present report is submitted pursuant to paragraph 11 of Security Council resolution 1590 (2005), in which the Council requested that it be kept regularly informed of progress made in the implementation of the Comprehensive Peace Agreement in the Sudan. The report provides an assessment of the overall situation in the country since my previous report, dated 19 July 2010 (S/2010/388), as well as an update on the activities of the United Nations Mission in the Sudan (UNMIS) through 30 September 2010.

II. Political developments

Referendum preparations

2. While the Sudan's political focus has shifted largely to the upcoming referendums, disagreements between the Comprehensive Peace Agreement parties continued to delay technical preparations for the referendum process. In the case of the Southern Sudan Referendum Commission, following its establishment on 28 June, a dispute arose between the Comprehensive Peace Agreement parties over who should be appointed to serve as Secretary-General of the Commission. This dispute remained unresolved during July and August and prevented the Commission from commencing operations for most of the reporting period.

3. On 9 August, the members of the Juba-based Southern Sudan Referendum Bureau were sworn in, followed by the swearing in of the members of the Southern State High Committee on 23 August. On 29 August, the Presidency agreed to a joint proposal by UNMIS and the African Union High-Level Implementation Panel to vest the Commission's executive, administrative and operational functions in four separate posts, including Secretary-General, Deputy Secretary-General, Chief Referendum Operations Officer and Deputy Chief Referendum Operations Officer. It was also agreed that two of these posts would be filled by Northerners and two by Southerners. On 14 September, Mohamed Osman al-Noujoumi was appointed by the Presidency to serve as Secretary-General of the Southern Sudan Referendum Commission.

4. The United Nations is in the process of deploying an additional 596 security, logistics and technical personnel, including United Nations Volunteers, to UNMIS to assist in providing technical and logistical support to the Referendum Commissions

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and their subcommittees, including at the county level. Close to 60 per cent of this personnel have already deployed or are in the process of deploying to UNMIS. UNMIS is also establishing new referendum support bases to provide support at the county level in southern Sudan. Construction of the first referendum support base has been completed, with six more scheduled for completion by the end of September and the rest to be put in place by the end of October. All eight additional helicopters required for the transportation of referendum-related personnel and materials have arrived in the country and the Mission expects to complete their final placement by 1 October.

5. Supported by the United Nations Development Programme (UNDP), the International Foundation for Electoral Systems has secured office premises for the Southern Sudan Referendum Commission in Khartoum and the Southern Sudan Referendum Base in Juba, and has begun procuring office equipment for these two bodies. The UNMIS/UNDP integrated referendum support team has prepared operational plans, including for training and logistics support, voter registration manuals, and internal regulations for consideration by the Commission. The United Nations is also facilitating the official travel of the referendum authorities and has co-hosted the Southern Sudan Referendum Base and the State High Committees' induction workshops. On 13 September, the United Nations and the International Foundation for Electoral Systems held their first formal technical meeting with the Southern Sudan Referendum Commission Chairperson, Deputy Chairperson and the newly designated Secretary-General to discuss matters such as the referendum timeline, procurement specifications, and the budget.

6. On 28 September, the Chairperson of the Southern Sudan Referendum Commission stated that voter registration for the referendum was likely to begin in the second half of November. The United Nations and the International Foundation for Electoral Systems are in the process of drafting procedures and specifications for the procurement of registration materials, and have already begun contacting potential manufacturers in anticipation of a request by the Southern Sudan Referendum Commission for support.

7. The Comprehensive Peace Agreement parties have made no progress on referendum preparations in Abyei since the adoption of the Abyei Referendum Act in December 2009. Although the parties continue to voice their public commitment to the 22 July 2009 decision of the Permanent Court of Arbitration and the Abyei Protocol, including the referendum timetable, they have not been able to agree on a chairperson for the Abyei Referendum Commission. Any further delay by the Comprehensive Peace Agreement parties in establishing the Commission will jeopardize the holding of the Abyei referendum within the envisioned timeline. UNMIS, together with the African Union High-Level Implementation Panel and other international partners, will continue their efforts to assist the parties in breaking the current deadlock.

8. On 21 September, in response to a request from the Comprehensive Peace Agreement parties, I announced the establishment of a three-member panel, headed by the former President of the United Republic of Tanzania, Benjamin Mkapa, to monitor the southern Sudan and Abyei referendums. The two other members of the panel are Antonio Monteiro, former Minister for Foreign Affairs of Portugal, and Bhojraj Pokharel, former Chairman of the Election Commission of Nepal. The panel will make periodic visits to the Sudan throughout the period leading up to the

referendums. Panel members will engage with all relevant actors, including the Comprehensive Peace Agreement parties, the Referendum Commissions, civil society and observer groups. In addition to reporting to me on the conduct of the referendums, the panel will work to enhance confidence in the process by encouraging the parties and relevant authorities to take corrective measures to resolve any significant problems or disputes that may arise.

Negotiations on post-referendum arrangements

9. Based on the 23 June memorandum of understanding signed in Mekelle, Ethiopia, at the facilitation of the African Union High-Level Implementation Panel, on the structure of the negotiation of post-referendum arrangements, the Comprehensive Peace Agreement parties officially launched negotiations on post-referendum arrangements on 10 July. Although the parties have made progress in defining procedural issues related to the conduct of the negotiations, they have made little progress in reaching agreement on key substantive issues. On 19 July, with the support of the African Union High-Level Implementation Panel and UNMIS, the parties convened a workshop on the theme "Issues exposure workshop" to mark the beginning of the substantive phase of the negotiations, during which they agreed on an initial schedule and procedural details for four working groups on wealth-sharing, citizenship, security and international legal instruments. The working groups, which have so far exclusively consisted of the Comprehensive Peace Agreement parties, met on 9 and 10 August and have continued to meet sporadically since that time. The parties also agreed to establish a joint secretariat for the negotiations, but have not yet done so.

Border demarcation

10. The Technical Ad Hoc Border Committee remains deadlocked on two primary issues: the number of contested areas to be forwarded to the Presidency for a final decision and the extent of international involvement in the physical demarcation process. On 29 August, the Presidency called upon the Border Committee to redouble its efforts and established a joint political committee, comprised of both Comprehensive Peace Agreement parties.

Abyei

11. Conditions in Abyei remained tense during the reporting period. An attack on Tagalei, north of Abyei town, on 5 July by unidentified armed elements left seven civilians and one policeman dead and contributed to a general feeling of insecurity among the population. Lack of progress on referendum preparations, Misseriya frustrations over fears of their inability to migrate to the south this year, and rumours of Misseriya plans to organize large-scale settlements in the northern parts of the Abyei area have further polarized the Misseriya and Ngok Dinka ethnic groups and hardened their positions on key issues. The Misseriya paramount chief and other tribal leaders in Muglad, who had initially focused attention on the issue of voter eligibility, have begun to reject the referendum entirely and have consolidated their opposition to the decision of the Permanent Court of Arbitration on Abyei's borders. Some local Ngok Dinka political actors in Abyei have suggested that the Abyei Administration should conduct the referendum on its own, or unilaterally declare its intention to join the south, if lack of progress in referendum preparations persists.

Southern Kordofan

12. In accordance with the Sudan People's Liberation Movement/National Congress Party (NCP) agreement to postpone elections in Southern Kordofan until a new census is done, the National Elections Commission conducted a new state-wide census exercise between 15 and 29 June with critical logistical support from UNMIS. Both the national and state governments provided significant support in effectively mobilizing census staff, despite the onset of the rainy season and logistical constraints. Both Comprehensive Peace Agreement parties expressed satisfaction with the process. The census results, which were scheduled to be released in July 2010 have not yet been released, primarily because the Bureau of Statistics has still not provided the preliminary figures. Voter registration for the elections is currently scheduled for November 2010 and polling for February 2011.

Popular consultations

13. As requested by the local governments in both Southern Kordofan and Blue Nile States, UNMIS is working closely with the Peace Research Institute of the University of Khartoum to help identify issues expected to emerge during the popular consultations process in the two States. Decentralization, distribution of resources, land, security and cultural identity are likely to be the main issues.

14. The parties have made some progress in technical preparations for the popular consultations in Southern Kordofan, notwithstanding the delayed elections. At a three-day civic education workshop in early June, both the Governor and the Deputy Governor emphasized the need to work together, leading the attendees to adopt a code of conduct and simplified definition of the popular consultation concept to be used during the civic education campaign. During the reporting period, UNMIS facilitated workshops in locations throughout the State, including Al Fula, Abu Gebiha, Dilling and Kadugli, with more workshops planned through to December.

15. The Blue Nile State Assembly appointed a 20-member Popular Consultation Commission in early September, which will conduct the exercise over the following three months. Uncertainty over the Commission's funding, however, remains a significant concern.

Wealth-sharing

16. According to the Petroleum Unit of the Government of Southern Sudan Ministry of Finance and Economic Planning, the national Government transferred $621.07 million in oil revenues to the Government of Southern Sudan in the second quarter of 2010. An additional transfer of $77.77 million was also made in July, leading to a cumulative total of $1.368 billion between January and July 2010. This includes withdrawals of $500.29 million from the Oil Revenue Stabilization Account and $90.12 million as settlement of arrears.

17. The national Government continues to transfer revenue shares to oil-producing States. According to the Ministry of Finance and National Economy, during the second quarter of 2010, Unity State received approximately $13.04 million, Upper Nile State $25.69 million, and Southern Kordofan State $9.17 million. Pursuant to the Abyei Protocol, Warab State, local Ngok Dinka and local Misseriya were entitled to a total of approximately $1.34 million during the same period. However, the transfer of Misseriya shares is awaiting a decision of the Presidency, and the

Abyei Area Administration has claimed that it has not received the designated shares for the Ngok Dinka.

Eastern Sudan Peace Agreement

18. The political and security situation in eastern Sudan remained stable during the reporting period, although the eastern Sudanese parties continued to accuse the Government of failing to meet its obligations under the East Sudan Peace Agreement regarding eastern representation in the national civil service. They also complained that there has not been any contribution from the Government to development in these areas. The East Sudan Peace Agreement signatories are currently focused on preparations for a donor conference on eastern Sudan in Kuwait.

Darfur peace process

19. During the reporting period, the Joint African Union-United Nations Chief Mediator for Darfur continued to pursue his three-strand strategy to ensure the involvement of civil society in the peace process; facilitate the negotiation of a peace agreement between the belligerent parties through an inclusive process; and encourage the improvement of regional relations between Chad, the Sudan and the Libyan Arab Jamahiriya. From 12 to 15 July, the Joint African Union/United Nations Joint Mediation, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the Government of Qatar organized a second Darfur civil society conference in Doha. Approximately 350 Darfuris attended, representing a wide cross section of society, including important ethnic and tribal communities, internally displaced people, refugees, women, the youth, traditional leaders, pastoralists, civil society organizations, intellectuals and the diaspora.

20. In the first half of July, the Government of the Sudan and the Liberation and Justice Movement (LJM) continued negotiations, under the auspices of the Joint African Union-United Nations Chief Mediator, in the areas of power-sharing and the administrative status of Darfur; wealth-sharing, including land rights; compensation and the return of IDPs and refugees; security arrangements; justice and reconciliation; and resolution of disputes. From the end of July, the Joint Mediation worked to consolidate the work of the joint LJM-Government of the Sudan committees to develop a draft agreement, also taking into account previously concluded peace agreements; the framework agreements reached in Doha; the actions taken by the parties to implement the framework agreements; the recommendations of the two civil society conferences held in Doha; and the Sudan People's Initiative. Once finalized, the draft will be shared with the parties.

21. To make the process inclusive, the Joint Mediation has continued to pursue efforts to persuade the Sudan Liberation Movement (SLM) led by Abdel Wahid el-Nur, and to join the Justice and Equality Movement (JEM), led by Khalil Ibrahim, to rejoin the talks.

III. Security developments

22. The security situation in southern Sudan continues to be of concern. Violent challenges to election results by former Sudan People's Liberation Army (SPLA) and SPLM affiliates continued in southern Sudan. As at 20 September, the conflict

between Lieutenant General George Athor and SPLA forces in northern Jonglei State remained unresolved. On 8 August, SPLA forces detained a helicopter of Sudan Airways that had deviated from its stated flight route at Paloich, Upper Nile State, en route to Khartoum. SPLA alleged that the helicopter was transporting supplies to General Athor. An Area Joint Military Committee tasked to investigate the incident could not reach a conclusion on details of the incident but confirmed that one of the two passengers on the helicopter was a senior commander linked to General Athor. The case was referred to the Ceasefire Joint Military Committee, which in turn referred it to the Ceasefire Political Commission for further deliberations.

23. On 25 July, forces commanded by David Yau-Yau, a former civil servant in southern Jonglei State, attacked an SPLA unit near Pibor, killing two and wounding nine persons. Yau-Yau's forces have launched several attacks on military and civilian targets since that time. On 8 August, an armed group supporting Colonel Gatluak Gai, formerly of SPLA, ambushed a convoy in Unity State, killing 17 SPLA troops and 6 civilians.

24. In July, SPLA forcibly disarmed Shilluk youth in Fashoda County following reports of an armed attack on SPLA forces that had left 11 SPLA soldiers dead. The disarmament campaign in July resulted in 4 Shilluk youth dead and 11 detained, who remain in SPLA custody to date, as well as reports of the SPLA looting houses and livestock. Following a ceasefire agreed on 15 August between the SPLA and Shilluk forces under the command of Colonel Robert Guan, a Shilluk-Shilluk dialogue was held in Fashoda under the auspices of the Shilluk King from 25 to 27 August. The situation in Fashoda area has remained calm since then.

25. Civilian disarmament campaigns carried out by SPLA also prompted the displacement of civilians in other parts of Southern Sudan, such as Lakes and Warab States, during the reporting period.

26. Reports of attacks by Lord's Resistance Army (LRA) against villages along the southern border of the Sudan continued. On 4 September, LRA reportedly attacked Bodo and Nahua villages in Western Equatoria, killing eight and abducting two children, one of whom later escaped. A local militia unit pursued the attackers towards the Congolese border.

27. With the onset of the rains there has been a general decrease in inter-tribal violence, particularly cattle raids and conflicts over water and grazing areas. However, inter-communal tensions have remained high in some areas, fuelling several attacks. A major cattle-raiding incident involving local communities in Yirol East County and Yirol West County in Lakes State on 4 August left 30 dead. Conflicting Dinka and Shilluk land claims in Upper Nile State also remain a significant concern.

28. In what appears to be a concerted effort to promote stability in advance of the referendum, governors in Upper Nile, Jonglei, Lakes and Northern Bahr El Ghazal States have convened inter-tribal peace conferences to mediate local disputes. UNMIS is working closely with United Nations agencies and Sudanese authorities to support these efforts. UNMIS has consulted newly elected State governors and County commissioners to further develop its conflict management and mitigation strategy. UNMIS, in collaboration with UNDP and the International Organization for Migration, continues to facilitate and support political party round tables in all

10 southern States with the view to providing a platform for an inter-party dialogue that will contribute to reducing tensions and creating a conducive atmosphere for peaceful political processes, particularly the referendum.

29. The security situation in Abyei continues to be volatile. While the Misseriya completed their northward migration without any major associated incidents, there are concerns about the potential for security incidents during their southward migration, which will commence in October and continue for the next few months.

Redeployment of forces

30. The Sudanese Armed Forces (SAF) have redeployed all their forces from southern Sudan, while monitored and verified SPLA redeployment remains at 34.8 percent of a stated strength of 59,168. On 25 January 2010, the Comprehensive Peace Agreement parties accepted these figures in the 111th meeting of the Ceasefire Joint Military Committee. SPLA forces have allowed joint monitoring teams to complete monitoring and verification of redeployment near White Lake Jaw, but continue to block monitoring and verification in Duar in Upper Nile State.

Joint Integrated Units

31. The strength of the Joint Integrated Units, which has remained unchanged since April 2009, is 32,900 (approximately 83 per cent of its mandated strength of 39,639). The re-verification process, initially scheduled for completion by 15 November 2009, is ongoing. The security working group, established by the Comprehensive Peace Agreement parties to negotiate post-referendum arrangements, has agreed to place discussions on unity and secession options for the post-referendum status of the Joint Integrated Unit as the first item on its agenda.

UNMIS military deployment

32. As at 15 September 2010, the UNMIS military component had deployed 9,948 of its authorized 10,000 military personnel, including 483 military observers, 190 staff officers and 9,275 troops. This brings the force to 99.57 per cent of the strength recommended (9,990) in the 2008 military capability study.

33. On 3 September, the Government of India informed the United Nations of its decision not to renew the contract for the deployment of six military utility helicopters (Mi-17) to UNMIS beyond 31 October. The Indian Aviation Unit represents one third of the military utility helicopter capability in UNMIS. UNMIS has developed a plan to mitigate the short-term impact following the loss of those helicopters and is planning to replace that capability with commercial aircraft. The procurement process is already under way, with a view to deploying these assets by the end of October.

Restrictions on freedom of movement

34. The freedom of movement for UNMIS continued to be problematic during the reporting period. SAF continued to deny UNMIS military access to Higlig and Karasana (Southern Kordofan State). SPLA denied UNMIS access to the Kodok area (Upper Nile State) from 22 July to 11 August.

35. Security incidents related to restrictions on UNMIS movement in southern Sudan continued during the reporting period. UNMIS helicopters were detained by

SPLA on two separate occasions. On 22 July, approximately 150 SPLA soldiers detained an UNMIS long-range patrol at gunpoint near Kodok, manhandling members of the patrol and threatening violence unless the patrol withdrew. When an UNMIS helicopter arrived to help evacuate the patrol, SPLA soldiers detained and physically assaulted its crew before allowing the helicopter to leave. On 4 August, an UNMIS helicopter dispatched from Wau to survey a referendum site in Tonj was held by SPLA at the Tonji airstrip. The aircraft and all on board were released six hours later.

36. UNMIS and the Government of Southern Sudan have agreed on the establishment of joint UNMIS-SPLA security committees at the regional, State and county levels to facilitate information flow, build confidence and ensure access for UNMIS operations in support of the upcoming referendum.

UNMIS police

37. The police component of the Mission currently comprises 634 advisers, out of an authorized strength of 715. During the reporting period, the UNMIS police component focused on training the southern Sudanese Police Service in referendum security and assisting it in preparing its referendum security plans. So far, a total of 9,663 southern Sudanese Police Service officers have been trained in referendum security.

38. UNMIS police officers are now co-located with southern Sudan police commissioners in each of the 10 States to support the southern Sudanese Police Service. UNMIS will also participate in the State referendum security committees, which are comprised of local Sudanese security agencies, once they are established. UNMIS currently co-chairs the High Security Referendum Committee established by the Government of Southern Sudan on 1 September.

Disarmament, demobilization and reintegration

39. As at 1 September, the national disarmament, demobilization and reintegration programme had demobilized 19,830 ex-combatants in northern Sudan and 6,055 in Southern Sudan, including 6,258 women. A demobilization exercise in Rumbek was completed in July 2010, with a total of 3,675 demobilized ex-combatants. Subsequent operations were launched in Kauda and Aweil, which resulted in the demobilization of a further 2,283 ex-combatants, including 571 women.

40. Some 8,490 ex-combatants have received reintegration support by UNDP and its implementing partners in northern Sudan. The provision of reintegration services for the majority of the remaining ex-combatants is expected to commence in late September/early October 2010. The disarmament, demobilization and reintegration programme currently requires an additional $8 million in extrabudgetary funds to complete the planned reintegration of 17,940 northern ex-combatants by the end of October 2010. Unless outstanding pledges are fulfilled, the disarmament, demobilization and reintegration programme will lack sufficient funding for its activities in northern Sudan in 2011.

41. In Southern Sudan, 5,941 ex-combatants are receiving reintegration services. UNDP and its implementing partners have made arrangements to provide reintegration services to an additional 7,219 ex-combatants, once demobilized.

42. As part of the efforts to strengthen the capacity of the disarmament, demobilization and reintegration Commission in Juba, UNMIS constructed and

handed over 6 of the 10 planned State offices to the Southern Sudan disarmament, demobilization and reintegration Commission. UNDP also supported renovations of the Commission headquarters in Juba.

Mine action

43. The United Nations has cleared 2,721,746 square metres of land, destroyed 1,483 anti-personnel mines, 413 anti-tank mines, 38,251 small arms and ammunition and 11,316 items of unexploded ordnance in the Sudan. In addition, the United Nations cleared 1,286 kilometres of road and provided mine-risk education to 42,122 affected people. Land release operations facilitated freedom of movement for the local population, delivery of humanitarian aid and the return of IDPs.

VI. Protection of civilians

44. UNMIS continued to receive reports of serious abuses carried out by SPLA during its military operations and civilian disarmament campaigns. The Mission has raised the issue of the negative impact of forced disarmament with the relevant Government authorities, which has led to its temporary suspension. Despite reports indicating the existence of armed groups along the border of Western Baḥr El Ghazal State and Southern Darfur, UNMIS was unable to conduct an assessment of these areas owing to the lack of security guarantees from SPLA. Planned aerial assessments of the border areas of Al Fifi, Elaguz, Firka, Malaga and Bua in Western Bahr El Ghazal State were also called off after security clearances from SPLA were denied.

45. The Mission has now finalized, in consultation with the United Nations country team, a strategy for the protection of civilians intended to provide clear direction on how it will meet the objectives of its protection of civilian mandate during the last year of the Comprehensive Peace Agreement. The strategy articulates the vision of the Mission, and outlines the platforms for coordination between the various mission components responsible for the implementation of the strategy.

Child protection

46. The implementation of the United Nations/SPLA action plan on the release of children associated with SPLA is advancing in Southern Sudan, although the reintegration of demobilized children remains a pressing challenge. On 30 August 2010, SPLA established a Child Protection Unit in Bilpham, Central Equatoria State, in support of the implementation of the United Nations/SPLA action plan.

47. On 16 July 2010, the first 49 children were registered and removed from the SPLA Mapel barracks in Western Bahr El Ghazal State. After undergoing rehabilitation and counselling provided by the Ministry of Social Welfare, these children were reunified with their families.

V. Humanitarian situation, recovery and return

Humanitarian developments

48. Insecurity, inter-tribal violence and seasonal flooding have had a serious humanitarian impact in southern Sudan during the reporting period. Since the beginning of the year, approximately 230,000 people have either been displaced by

conflicts or affected by floods, and are in urgent need of humanitarian assistance. In addition, the livelihoods of some 60,000 people have been affected.

49. Food security remains precarious, with estimates that nearly half of the population of Southern Sudan will have received food assistance at some point during 2010. The prolonged "hunger gap" has contributed to a sharp rise in malnutrition. More than 50,000 children have been affected by acute malnutrition, with assessments indicating malnutrition rates that are well above emergency thresholds of the World Health Organization in 5 of the 10 states in the south. In a positive development, the timely onset of rains has increased the prospect of favourable harvests.

50. Humanitarian agencies have reported a sharp increase in the denial of humanitarian access in 2010. The Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat has received more than 80 verified reports of interference with humanitarian activities since January 2010.

51. In an encouraging sign, the Government of Southern Sudan has created a new Ministry for Humanitarian Affairs and Disaster Management. This new Ministry will provide a higher profile for humanitarian coordination and advocacy within the Government of Southern Sudan.

52. Humanitarian operations continue to face funding constraints. Donors have provided, so far, only 56 per cent of the $1,843,386,608 requested in the revised humanitarian work plan for operations in the Sudan.

Recovery and development

53. The United Nations has begun planning for a technical meeting on capacity development in southern Sudan in order to coordinate its approach. UNDP and the World Bank will work together to support the Government of Southern Sudan in formulating a framework that will foster a unified approach to providing international support to capacity development efforts of the Government of Southern Sudan.

54. The Government of Southern Sudan has announced an upcoming programme entitled "Accelerated return and early reintegration initiative (ARERI)", aimed at encouraging former residents of the southern States and their descendants residing in the north to return to the south. Also, the Abyei Area Administration has conducted an initial registration of people of Dinka Ngok origin, residing in the north, which produced a caseload of 35,000 individuals potentially interested in return to the Abyei area. The Government of Southern Sudan has indicated that it will fund $10 million of the $24 million needed for the programme. The funding of the remaining $14 million is still under consideration. The United Nations country team is prepared to support the process, provided that conditions for voluntary, safe and dignified returns can be guaranteed.

55. In mid-August, the Government of Southern Sudan endorsed the UNDP regional initiative for capacity enhancement. Under this programme, 200 civil servants from member States of the Intergovernmental Authority on Development (IGAD) will be deployed in strategic functions within Government of Southern Sudan institutions to strengthen governance infrastructure and support the delivery of essential public services. The IGAD civil servants will be embedded in ministries and twinned with Southern Sudanese officials to ensure the transfer of skills and

capacity development over the medium term. UNDP also supported training for the Southern Sudan State Assemblies, using specialists from neighbouring countries and focusing on ethics, parliamentary conduct, finance and budgeting, rules of procedure and relations with the executive branch. Similar programmes are now ongoing for county commissioners and local government directors.

56. The Sudan Recovery Fund, a funding instrument directed at filling gaps in medium-term assistance, continues to provide support for stabilization activities in the south. In addition to the construction of roads, water points and police stations in conflict-affected areas in Jonglei and Lakes States, new projects are being elaborated by the State Security Committees in Eastern Equatoria and Warab States.

57. Consultations between the Government of the Sudan, the United Nations and donors led to an expansion of development activities in eight prioritized areas of Southern Kordofan State. The United Nations country team is currently engaged in a dialogue to review the action plan, including 168 projects, and to further institutionalize development planning, including community-based approaches as the reconciliation and peaceful co-existence mechanism and UNDP-led conflict reduction programming.

Return and reintegration

58. Despite heavy flooding in some areas, returns continued by river and along accessible overland routes. Mid-year figures compiled during July revealed that more than 100,000 former IDPs and refugees had returned home during the first half of 2010. In a break with historical trends, however, return numbers have dropped to relatively low levels, even for the rainy season, compared with figures for this quarter during previous years.

59. The core functions of the Government of Southern Sudan that require international support until the end of the Comprehensive Peace Agreement interim period and beyond, irrespective of the outcome of the referendums, have been identified jointly by UNMIS and the United Nations country team, together with the Government of Southern Sudan. These include (a) executive leadership; (b) security sector reform; (c) rule of law and law enforcement; (d) fiduciary management; (e) public administration; and (f) management of natural resources. On 17 September, a high-level meeting, which was facilitated by the United Nations, was convened in Brussels to mobilize support for building the capacity of these core functions. The participants, who included key donors, endorsed the capacity-building framework and action plan of the Government of Southern Sudan.

VI. Governance and human rights

Rule of law

60. UNMIS rule of law activities during the reporting period focused on strengthening core rule of law institutions in both northern and Southern Sudan. The Mission held a number of consultative meetings with the newly elected members of the National Assembly and provided advisory support, training and analysis to the Southern Sudan Legislative Assembly. UNMIS also continued its assessment of prisons, as well as capacity-building and rehabilitation activities for prisons in the north.

61. With the launch of the Justice and Security Sectors Advisory and Coordination Cell, UNMIS has scaled up its support for security sector reform efforts in the south. The Cell coordinates the United Nations and donor support for the Government of Southern Sudan in an effort to ensure that referendum and post-referendum security measures lay the foundation for longer term justice and security sector development.

62. UNMIS is also providing logistics support to State governments' efforts to convene the first County Commissioners' Forum in all 10 States. The objective of the Forum is to discuss and make proposals to address administrative issues at the county level on the basis of the 2009 Local Government Act.

Human rights

63. Significant concerns regarding restrictions on freedom of expression remain. While pre-publication press censorship involving routine visits by the National Intelligence and Security Service, which was reintroduced for the April elections, was reportedly lifted on 8 August, the Service reportedly distributed to editors a long list of topics prohibited for publication, including the International Criminal Court, IDPs in Darfur, pro-secessionist rhetoric and the prosecution of journalists. In early August, the Service also issued forms requesting journalists to submit personal information, including on their political affiliation, tribe, family and intimate friends. Journalists who refused to fill out the form were intimidated and threatened by Service agents. Meanwhile, three newspapers remain closed by authorities of the Government of the Sudan for publishing content deemed controversial, and seven criminal cases remain pending against the SPLM-aligned newspaper *Ajrass al-Hurriya* for the publication of contentious articles.

64. Nearly 15 months after the National Assembly enacted enabling legislation, the parties have made no progress on establishing the national human rights commission. A fully operational national human rights commission is critical to the promotion and protection of human rights in the Sudan, particularly in the context of the democratic transformation envisioned in the Comprehensive Peace Agreement and in the run up to the referendum.

VII. Cross-cutting issues

Integrated United Nations planning

65. Integrated planning to guide the United Nations engagement and operations in support of mandate implementation before and after the referendum period was completed in July, and both UNMIS and the United Nations country team established structures to coordinate the identified priorities.

66. Contingency planning for the United Nations support to the post-referendum transitional period (January to June 2011) has also started. The Mission and the United Nations country team will continue their efforts to sustain United Nations support to maintaining overall security in the Mission area, conflict management and the protection of civilians, and to developing governance and rule of law capacities in Southern Sudan. They will also assist the parties, upon their request, in the transition from existing Comprehensive Peace Agreement border security and ceasefire monitoring arrangements, to the new post-Comprehensive Peace

Agreement configuration that will have been agreed upon in the context of the post-referendum negotiations.

Public information

67. During the reporting period, UNMIS continued its extensive support to the implementation of the Comprehensive Peace Agreement with special focus on the Southern Sudan referendum process. The Mission organized a round table in Juba on the role of the media in the lead-up to the referendum, bringing together senior editors from leading media houses based in northern and Southern Sudan. It also conducted a two-day workshop in Gedaref State on the theme "The role of the media in reinforcing popular consultations".

68. Radio Miraya continued to support the implementation of the Comprehensive Peace Agreement through daily broadcasts, audience response shows, debates and programmes. The national Government has not yet assigned an FM frequency to maximize its coverage in northern Sudan.

Conduct and discipline

69. UNMIS conducted training and awareness-raising workshops throughout the Mission area and continued to monitor potential risk factors for misconduct during the reporting period.

70. The Mission also continued to monitor compliance of staff members with the United Nations Code of Conduct and its zero-tolerance policy on sexual exploitation and abuse. The Mission also targeted communities in southern Sudan to build awareness regarding the zero-tolerance policy.

Gender

71. On 10 June, UNMIS hosted an "open day" on Security Council resolution 1325 (2000) in Khartoum for women's groups and United Nations agencies in commemoration of the 10-year anniversary of the adoption of the resolution. The event was preceded by preparatory consultations with women peace groups across the Sudan, including in Juba, Warrap, Eastern Equatoria and Central Equatoria States and Darfur.

72. UNMIS has trained 88 members of State Assemblies on gender mainstreaming. The Mission is also providing technical support to build the capacity of the community police units within the national police forces.

HIV/AIDS

73. The Mission continued efforts to support the integration of HIV/AIDS awareness in the disarmament, demobilization and reintegration programme. It also conducted awareness-raising and capacity-building campaigns, and provided voluntary confidential counselling and testing services in Juba, Central Equatoria State and Malakal, Upper Nile State.

Staff security

74. Criminality and banditry, as well as forced detentions, continued to pose a security threat to United Nations personnel. Reported incidents during the quarter

included 12 incidents of arrest/detention and harassment of United Nations staff; four cases of physical assaults resulting in injuries; 14 incidents of theft, burglary and trespassing against United Nations staff and compounds; and the detention and physical assault of United Nations helicopter crew members.

Coordination with other peacekeeping missions

75. During the reporting period, the Military Information Cell continued its regular exchange of reports with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and UNAMID, as well as interaction during inter-mission conferences. UNMIS and MONUSCO are cooperating closely to maintain situational awareness of operations of Forces armées de la République democratique du Congo-Uganda People's Defence Forces against LRA. UNMIS continues to exchange flash reports and other vital information with UNAMID regarding flight restrictions of the Government of the Sudan over Southern Darfur and JEM/SAF clashes.

Financial aspects

76. The General Assembly, by its resolution 64/283 of 24 June 2010, appropriated for the maintenance of UNMIS for the period from 1 July 2010 to 30 June 2011 an amount of $938 million. Should the Security Council decide to extend the mandate of UNMIS beyond 30 April 2011, the cost of maintaining the Mission until 30 June 2011 would be limited to the amounts approved by the General Assembly.

77. The amount appropriated for the maintenance of UNMIS does not include costs related to UNMIS technical, logistical and security assistance for the upcoming referendums in southern Sudan and the Abyei Area. The estimated cost of UNMIS assistance comprises some $81.5 million, for an eight-month period. The projection is based on the deployment of an additional 506 temporary staff and additional operational costs, and takes into account the existing assets of UNMIS.

78. In addition, the panel appointed by the Secretary-General on the referendums in the Sudan has been established to monitor the referendums for a six-month period. The financial implication to the Organization is estimated at $4.3 million, with the expectation that UNDP would contribute $0.9 million of the cost. The cost of the panel entails 41 temporary staff and associated operational resources.

79. As at 30 June 2010, unpaid assessed contributions to the Special Account for UNMIS amounted to $122.9 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,363.5 million.

80. The reimbursement of troop-contributing governments for troop and contingent-owned equipment costs has been made for the period up to 31 May 2010 and 31 March 2010, respectively.

VIII. Observations and recommendations

81. I am encouraged by reassurances from both parties regarding their commitment to the continued implementation of the Comprehensive Peace Agreement, including holding the referendums within the stipulated timeline. This peace process is unique in the history of the Sudan and the next few months will be

critical for safeguarding the achievements made since the signing of the Comprehensive Peace Agreement.

82. As the Comprehensive Peace Agreement deadline for the referendums approaches, public anticipation and anxiety are building up at an accelerated pace. The events of the next three months will have a profound impact on the future of the Sudan. The stakes are undeniably high, as failure to meet the deadline for the referendums prescribed by the Comprehensive Peace Agreement could have severe consequences. Notwithstanding the progress made so far, it is imperative that the parties to the Agreement and all relevant authorities redouble their efforts to ensure that they successfully meet the deadline.

83. The United Nations is doing all it can, with key partners, to facilitate the implementation of the Comprehensive Peace Agreement, including the timely and credible conduct of the referendums. The African Union and the United Nations convened the first meeting of the Sudan Consultative Forum in Khartoum on 17 July, bringing together IGAD, the League of Arab States, the Organization of the Islamic Conference, the European Union, the neighbouring States and other bilateral partners. The Forum stressed the need for cooperation between NCP and SPLM and for international support to the referendum processes.

84. On 24 September, I hosted a high-level meeting on the Sudan in the margins of the General Assembly to discuss key issues related to the Comprehensive Peace Agreement, the Darfur peace process, capacity development in southern Sudan and the eastern Sudan peace process. The meeting was attended by 12 Heads of States, including President Barack Obama of the United States of America, President Bingu wa Mutharika of Malawi (Chair of the African Union) and Prime Minister Meles Zenawi of Ethiopia (Chair of IGAD), as well as Chairperson Ping of the African Union Commission and the Secretaries-General of the League of Arab States and the Organization of the Islamic Conference. Sudanese Vice-President Taha and First Vice-President Kiir participated also. The meeting adopted a final communiqué in which the Sudanese parties recommitted themselves to overcoming all challenges necessary to hold the referendums on 9 January 2011. The communiqué also highlighted the strong international support for the Comprehensive Peace Agreement processes and the urgent need for the parties to resolve key post-referendum arrangements in order to ensure a smooth transition through the Comprehensive Peace Agreement period. On Darfur, the participants expressed support for the Doha peace process, while taking note with concern of the serious security situation in Darfur.

85. The international partners of the Sudan are eager and ready to support and assist the Sudanese people through this last phase of implementation of the Comprehensive Peace Agreement and beyond. However, it is, and must continue to be, a fundamentally Sudanese effort. International contributions have been important and will continue to be so long after the referendums, but only the political will of the Sudanese themselves can drive this process forward. As such, it is the parties to the Agreement that have the primary responsibility to ensure its success.

86. Under these conditions, a productive working relationship and a commitment by the parties to work together in good faith are absolute prerequisites for success. There is simply no time remaining for political confrontation and stalemates. Bearing in mind their obligation to the Sudanese people, I call upon the

Comprehensive Peace Agreement parties to rise to the occasion and take advantage of this opportunity to demonstrate real leadership by finding solutions that address all of the legitimate concerns at stake.

87. Nowhere is the need for good faith cooperation more evident than in the southern Sudan referendum preparations. Referendum preparations are well behind schedule, and the Southern Sudan Referendum Commission must move extremely quickly if it is to fulfil its mandate in the time remaining. Any further delays will have a major impact upon the technical and logistical realities of preparing for and conducting the referendum on time. A fully operational Commission is essential for effective and timely assistance by the international community. I call upon the parties to do everything necessary to address any obstacles that have the potential to interfere with the Commission's ability to shoulder its responsibilities effectively.

88. I am deeply concerned about the situation in Abyei. Preparations for the Abyei referendum are even further behind schedule, and the continued lack of progress is exacerbating an already tense and volatile situation on the ground. The disputes and concerns holding up the preparations can be addressed effectively only through a comprehensive package including wealth-sharing, access to water and grazing land, residence and property ownership, and border demarcation. I call upon the Comprehensive Peace Agreement parties to make immediate progress on these interrelated issues, recognize the urgent need to establish the Abyei Referendum Commission, address the concerns of the local communities, and uphold their obligations under the Agreement to conduct a timely and credible referendum in Abyei.

89. I commend the parties on launching their negotiations on post-referendum arrangements, and the African Union High-Level Implementation Panel for its leadership in supporting and facilitating the process. Rapid progress in these discussions would prove enormously helpful, both in addressing the legitimate concerns about the future relationship of the Comprehensive Peace Agreement parties and in creating an environment conducive to moving forward on other key issues. I urge the parties to accelerate their efforts to build momentum in these talks and show tangible progress. Moreover, while the United Nations and its international partners fully respect the desire of the parties to address these issues bilaterally, I urge the parties to take full advantage of every resource available to them, whether domestic or international.

90. The referendums in the Sudan must be free, fair and credible, and their outcome must reflect the true choice of the people. I appointed a three-member panel to monitor the referendums, at the request of the parties, to assist Sudanese authorities to ensure the credibility of the process. At the same time, it is incumbent upon the parties to do everything possible to deliver referendum processes that are models of transparency and to lead a substantive political debate that provides the people of Southern Sudan and Abyei with the genuine opportunity to weigh their options. I urge the Comprehensive Peace Agreement parties and the international community to extend their fullest cooperation to the independent panel I established at the request of the parties.

91. The popular consultations in Blue Nile and Southern Kordofan States are critical milestones not only in the implementation of the Comprehensive Peace Agreement, but also in the Sudan's continuing democratic transformation. It is thus vital to ensure that they remain a priority even as political attention remains more

focused on the referendums. I note with concern that shifting schedules may complicate the process, particularly in Southern Kordofan State. I urge the parties to ensure that the popular consultations receive appropriate attention and resources, and that the census results for Southern Kordofan are released as soon as is practical.

92. The continued escalation of restrictions on the freedom of movement of UNMIS since my last report represents a serious challenge to the implementation of the Mission and its support to the upcoming referendums. The detention and physical assault of any United Nations personnel is entirely unacceptable. I call upon the Comprehensive Peace Agreement parties to take appropriate measures to ensure the security and safety of United Nations personnel and facilitate the unhindered implementation of the mandate of the Mission in this critical period.

93. I am concerned about continued delays in border demarcation. The Comprehensive Peace Agreement parties have a great deal of work still to do not only on demarcating the border, but also in addressing the concerns of border communities and determining how they will manage the border region. All of these issues are essentially political in nature, and require political solutions. I urge the parties to act quickly in answering those political questions that continue to prevent the relevant technical bodies from completing their assigned tasks, to engage in a dialogue with the border communities, and to seek agreements and solutions that provide the least disruption to their lives.

94. Despite recent progress, logistical, political and security constraints will render the planned demobilization and reintegration of 180,000 ex-combatants by the end of the Comprehensive Peace Agreement period extremely difficult. Moreover, the possibility of a significant shortfall in disarmament, demobilization and reintegration funding for the north is a serious concern, particularly as the referendums are likely to overshadow near-term fund-raising efforts. I therefore call on donors to ensure that assistance to demobilized ex-combatants continues and that reintegration activities proceed without disruption. I urge donors to examine options for supporting disarmament, demobilization and reintegration efforts of the Sudan in the post-referendum period.

95. Despite efforts by humanitarian agencies on the ground, the overall relief effort remains seriously hampered by continued funding shortfalls and a shortage of humanitarian partners to deliver supplies across six emergency pipelines: food, nutrition, non-food items and emergency shelter, emergency medical kits, seeds and tools, and water and sanitation. An increase in donor assistance is urgently required in order to guard against a serious deterioration in humanitarian conditions during the referendum period and beyond. I, therefore, urge donors to generously contribute to efforts to alleviate any humanitarian crisis in Southern Sudan during the critical months ahead.

96. The next quarter will be critical for the future of the Sudan and the entire region. The challenges of these three months will be daunting, but no more so than those ahead in 2011 and beyond. It is incumbent upon the international community to do everything within its power to assist the Sudanese in meeting these challenges. We must move very quickly now, but also recognize our long-term commitments in the Sudan. I call upon the international community to mobilize all available resources to contribute coordinated efforts to support the people of the Sudan in the days, weeks and months ahead.

97. In conclusion, I would like to express my appreciation for the dedicated service of my Special Representative for the Sudan, Haile Menkerios, as well as for all military, police and civilian staff serving in UNMIS.